



TRINIDAD AND TOBAGO

PERMANENT MISSION OF TRINIDAD AND TOBAGO TO THE UNITED NATIONS
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STATEMENT

by

**H.E. Ambassador Philip Sealy,
Permanent Representative
of the
Republic of Trinidad and Tobago
to the United Nations
in the
General Debate at the
Sixth Session of the Assembly
of States Parties to the Rome Statute
of the International Criminal Court
30th November to 14th December 2007**

United Nations Headquarters,
New York
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Mr. President,

Trinidad and Tobago has the honour to address yet another Assembly of States Parties (ASP) to the Rome Statute of the International Criminal Court (ICC). For us the ASP is an opportune moment to renew our commitment to the preservation and maintenance of international peace and security, to the upholding of the rule of law and to the prosecution of those who commit crimes which continue to shock the conscience of all humanity. We remain convinced that this could only be achieved through a strong, vibrant, independent and permanent international criminal tribunal. It was for this reason that in 1989, we took the political initiative and called for the establishment of the international criminal court to be placed as an item on the agenda of the United Nations General Assembly.

We have remained steadfast in our support and commitment to the ICC and have endeavoured to discharge our legal obligations under the Rome Statute through the ratification of the Agreement on the Privileges and Immunities of the ICC, the enactment of comprehensive legislation to give domestic legal effect to its provisions, contributed to the Trust Fund to assist least developed and developing countries to attend meetings of the ASP, as well as to the Trust Fund for the Benefit of Victims and have promoted the signature and ratification of the Statute in our sub region. We call on other States that are in a position to do so to contribute to these Trust Funds. As a country committed to the rule of law and, in view of the sacred nature of treaty obligations as reflected in the customary international law principle of *pacta sunt servanda*, we have also defended the integrity of the Statute by refusing to conclude any agreement which is inconsistent with its provisions.

Mr. President,

In the very short period of five years, the ICC has made tremendous strides and has surpassed the expectations of its supporters and confounded its critics. We have witnessed the ever growing universality of the Statute and the growing acceptance by the international community of the Court as a vehicle to bring to justice the perpetrators of crimes within its jurisdiction and to bring relief to the hapless victims of these crimes.

In this regard, like others we welcomed the issuance of warrants for the arrest of accused persons in the Democratic Republic of the Congo (DRC), in the Darfur region of Sudan and in Northern Uganda and the opening by the Prosecutor of investigations in other regions. Similarly, we applaud the preparations made for the commencement of the Lubanga trial in the new year and the recent Katanga arrest in the DRC. We, however, wish to lament the lack of progress made so far with regard to the start of the trials of the other accused persons for whom warrants have been issued by the Prosecutor. In this regard, Trinidad and Tobago wishes to reiterate the position we adopted during the debate on the report of the ICC at the United Nations General Assembly last month by affirming that there would only be meaningful progress in the continued fight against impunity in all situation States if those States and other entities concerned honour their legal obligations and cooperate with the Court in the execution of the outstanding arrest .

warrants and the surrender of the accused persons to face trial. If there is no cooperation in this area, the Court's efforts in bringing to justice the accused could be severely impaired and its efforts at bringing an end to impunity would be compromised. In addition, we are of the view that the ASP can play its part in promoting cooperation through the establishment of a focal point on cooperation during the upcoming year.

Mr. President,

We have observed the progress made so far in ensuring that the ICC has permanent premises befitting this landmark judicial institution. Consequently, we note with appreciation the Strategic Plan adopted by the Court on its future projections. Any such plan must be commended because we expect the ICC to play a greater role in the international criminal justice system with the expected closure in the near future of all of the Ad-hoc International Criminal Tribunals in accordance with their respective completion strategies. Moreover, we also wish to recommend concerted action by all those concerned for the completion of all initiatives aimed at the establishment of permanent premises befitting this unique permanent criminal tribunal.

Mr. President,

The pursuit and maintenance of peace has been a major objective for those of us who fought valiantly for the establishment of the ICC. We, however, see the pursuit of justice as having a symbiotic relationship with our efforts to achieve lasting peace, even in situation countries. We do not see any contradiction between the court's role in prosecuting accused persons for crimes which have affected the international community and the promotion of peace. Consequently, we thus urge all States Parties to work with the court to ensure that both of these noble objectives are achieved as we strive to bring about an end to the culture of impunity.

Mr. President,

In many far flung areas of the world the court is either not known, or there is insufficient information about its purpose. One way of promoting this important institution is through outreach activities. We therefore expect that this ASP would take the decision to provide the Court with sufficient funds to ensure that outreach activities are carried out as envisioned in keeping with the plan of action of the Court.

Another matter which is now engaging the attention of the ASP is the hosting of the Review Conference by 2009 which is provided for in Article 123 of the Rome Statute. For us in Trinidad and Tobago, this Review Conference should not be confined solely to an exercise in stock taking which we do at every ASP. The main item on the agenda of the Review Conference should be the consideration of amendments to the Statute. This would be consistent with the provisions of Article 123. We are therefore hopeful that a definition of the crime of aggression would be adopted by the ASP for the consideration of the Review Conference so that the Court is able to exercise jurisdiction over that crime consistent with the provisions of Articles 5, 121 and 123 of the Statute. Moreover, we

would also welcome discussion on future amendments to the Statute so as to consider other crimes such as drug trafficking and terrorism in keeping with Resolution E of the Final Act of the Rome Conference. We wish to applaud the efforts of the Government and people of the Principality of Liechtenstein for their sterling contribution in hosting the various inter-sessional meetings of the Special Working Group on the Crime of Aggression. Such efforts are a consistent reminder of the invaluable work that small States have played in the continued development of the Court, thus ensuring that the Court is seen as an institution that belongs to all.

I thank you Mr. President.